

Exhibit 45

Plaintiffs' Corrected Averment of Jurisdictional Facts and
Evidence and/or Statement of Facts as to Defendant Al Rajhi Bank
Pursuant to Rule 56.1

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CENTRAL INTELLIGENCE AGENCY



DIRECTORATE OF INTELLIGENCE

14 November 2002

Saudi-Based Financial Support for Terrorist Organizations ()

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Saudi-Based Financial Support for Terrorist Organizations (S/NF)

Key Findings (U)

Saudi Arabia is a key base of financial support for al-Qa'ida and several other terrorist organizations. We estimate that since the mid-1990s several tens of millions of dollars a year has flowed to terrorists from a variety of sources in the Kingdom. Most of the money originates from wealthy individuals, fundraisers who solicit smaller donations, and diversions from non-governmental organizations (NGOs); a portion of the funding is derived from legitimate religious contributions.

- Al-Qa'ida has relied on its node in Saudi Arabia for bulk fundraising for several years. [REDACTED]

[REDACTED] Money that originates in the Kingdom is dispersed to al-Qa'ida members operating in Pakistan and Afghanistan, as well as Yemen, Iran, and other countries where operatives have relocated following the loss of Afghanistan as a safehaven.

• [REDACTED]

Since 9/11, Riyadh has responded to a number of US requests to staunch the flow of funds to terrorists from the Kingdom. [REDACTED]

[REDACTED] these actions, coupled with donors' fears of US and international actions, have led to a drop in money flowing from Saudi Arabia to al-Qa'ida and probably other groups. For example:

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- SAMA—Saudi Arabia's central bank and chief financial enforcement agency—oversees Saudi banks efforts' to freeze and seize terrorist-linked assets. If SAMA issues an order to banks to freeze assets, we judge that the banks will follow SAMA's order; however, we question the thoroughness of their efforts because many banks lack the resources to effectively implement freeze orders.
- Since 9/11, Riyadh responded to our requests to freeze the assets of al-Qadi and to designate Julaydan as a terrorist. The Saudis have also agreed k the flow of charitable funds to foreign projects.

[REDACTED]

Nonetheless, Riyadh appears reluctant to pursue donors and police its NGOs. Domestic political considerations may also be preventing Riyadh from taking a harder line against terror finance.

- Donors who are members of prominent merchant families often have business dealings or frequent interactions with the Saudi royal family, suggesting that Riyadh may be hesitant move against their businesses and bank accounts, [REDACTED]
- A few Saudi Government officials, such as Prince Nayif and Saudi Embassy personnel, have condoned or ignored the activities of NGOs and NGO representatives that support terrorist and militant groups, [REDACTED]

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Scope Note (U)

This paper is intended to provide an overview of Saudi-based sources of funds for al-Qa'ida and other terrorist groups and to assess Riyadh's efforts to crack down on terrorist finances. This compilation of intelligence on this topic. [REDACTED]

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Saudi-Based Financial Support for Terrorist Organizations

A Major source of Terrorist Funds

[redacted] al-Qa'ida and several other terrorist and militant groups consider Saudi Arabia a key base of financial support.

[redacted] we estimate that since the mid-1990s terrorist groups have received several tens of millions of dollars a year from Saudi sources. Most of the money originates from wealthy individuals, fundraisers who solicit smaller donations, and non-governmental organizations (NGOs).

- The Kingdom has a conservative and—by developing country standards—an affluent populace inclined to bestow large grants on Islamic missionary groups to fulfill their religious obligation to contribute to charity and the propagation of Islam.
- As a result, a portion of the income that al-Qa'ida and other groups count on is derived from legitimate religious contributions, where the donor is either unwitting, misled, or inclined to look the other way.
- Most of the larger financiers, however, knowingly donate funds to al-Qa'ida and are witting that the money finances terrorist activity.

[redacted] Several of these relationships with Bin Ladin or other key al-Qa'ida operatives since at least the 1990s. [redacted]

Estimating the Value of Funds Terrorists Get From Saudi Arabia

Our estimate that terrorist groups have collectively received several tens of millions of dollars a year from Saudi sources since at least the mid-1990s is based on analysis [redacted]

[redacted] on groups' income and expenditures. Terrorist operations are not expensive—even a large, complex operation such as the 9/11 attack cost less than a half-million dollars. The major costs typically are to support the organizational base—e.g. paying, housing, and feeding members; supporting training and travel; and in some cases disseminating propaganda or paying off host governments to allow a group to operate.

[redacted] We estimate that half or more of al-Qa'ida's estimated pre-9/11 "budget" was raised in Saudi Arabia. [redacted]

This assessment was prepared by the DCI Counterterrorist Center's Office of Terrorism Analysis. Comments and queries are welcome and may be directed to [redacted]

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Key Financial Base for Al-Qa'ida (S/NF)

Bin Ladin's network has relied on its node in Saudi Arabia for the bulk of its fundraising for several years.

Money that originates in the Kingdom is dispersed to al-Qa'ida members in Pakistan and Afghanistan, as well as Yemen, Iran, and other countries where key al-Qa'ida operatives have relocated over the past year following the loss of Afghanistan as a safehaven.

- Al-Qa'ida members in Yemen—the key platform for operational planning in the Gulf—get the majority of their financial support from Saudi Arabia.

- Some funding is also going from Saudi Arabia to finance al-Qa'ida operatives and al-Qa'ida-linked terrorist groups in Southeast Asia.

(TS//NF)

Major Donors

We have identified several wealthy Saudi individuals and families we suspect of supporting the al-Qa'ida

network. Many of the donors come from prominent merchant families in Jeddah, and they probably account for the largest share of al-Qa'ida's income. These families usually have large, diversified business holdings or control non-governmental organizations within the Kingdom and the Middle East that provide vehicles for transferring funds to terrorists.

Yasin al-Qadi is a Saudi business executive who donated money to al-Qa'ida and other Islamic extremist groups through his companies and NGOs, according to press reports. In 1992, al-Qadi founded the Muwafaq Islamic charity, through which he funneled funds to al-Qa'ida and other extremist groups. Although he officially liquidated the foundation in 1998,

Since October 2001, al-Qadi—who has denied links to al-Qa'ida—has experienced severe financial problems after eight governments froze about \$25 million of his assets.

Wa'il Hamza Julaydan

was Secretary General for the Rabita Trust when the NGO was involved in supporting al-Qa'ida fighters.

Abu Zubaydah in the summer of 2000, and Julaydan traveled from

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Pakistan to Afghanistan, where they met with Bin Ladin, [REDACTED]. Julaydan has business ties to close associates of Bin Ladin, including his brother-in-law Muhammad Jamal Khalifah. Julaydan, following his listing by the United Nations as a terrorist supporter, [REDACTED]

Muhammad Jamal Khalifah, a brother-in-law of Bin Ladin, was based in the Philippines from 1988 to 1995 and was involved in recruiting Muslims for training in Pakistan as mujahidin fighters. Khalifah founded several Islamic charities and served as the director of the International Islamic Relief Organization (IIRO) NGO in Manila, according to press [REDACTED] reporting. Khalifah was a close associate of World Trade Center bomber Ramzi Yousef until his arrest. [REDACTED]

Khalifah currently runs several Asian and African construction and gem businesses [REDACTED] which we believe he is using to launder money for al-Qa'ida. [REDACTED]

Shaykh Adil Batterjee was a close business associate of Bin Ladin during the early 1990s and a long-time al-Qa'ida donor and fundraiser, [REDACTED]. Since the 1980s, Batterjee has been closely associated with businesses in Sudan and Saudi Arabia that have had links to al-Qa'ida and other terrorist groups, and has directed NGOs where some officers finance extremists or militants under the guise of rendering humanitarian aid and support, [REDACTED]

In October 2002, Batterjee was named in a US indictment of Enaam Arnaout as a member of the al-Qa'ida-linked Islamic charity, Benevolence International Foundation, according to press reports.

Batterjee heads Jeddah-based Lajnat al-Birr al-Islamiyya (LBI) or the Islamic Charity Committee NGO, which probably is a subsidiary of the Saudi-based Muslim World League (MWL) and "joined" the UBL-funded Makhtab al-Khidmat NGO in 2001, according to sensitive reporting. [REDACTED]

Batterjee raised funds on behalf of Bin Ladin using LBI as a conduit. [REDACTED]

The *Bin Mahfouz* family owns Saudi Economic and Development Company, Ltd., Nimir Petroleum Ltd., shares in National Commercial Bank, and the International Development Foundation, an Islamic charity. [REDACTED]

Khalid was the last of the family to run NCB, although his sons and nephews have small roles. Khalid was also a principal financier of the Muwafaq charity. [REDACTED]

The *Al-Rajhi* family—owner of the Al-Rajhi Banking and Investment Corporation—is a well-connected Saudi family from the central Najd region of the kingdom with a net worth of \$12 billion. Al-Rajhi Bank has been a conduit for funds for Islamic extremists and for the 11 September hijackers, [REDACTED]. Sulayman al-Rajhi, the family patriarch, has been widely reported to support Islamic extremist policy and helped fund the US-based SAAR foundation, which is the subject of US law enforcement investigations. Al-Rajhi Bank has maintained accounts for individuals linked to Usama Bin Ladin, [REDACTED] and individuals with ties to the Egyptian Islamic

³Photo source:
//www.sudatel.net/english/board_directors.htm (TD [REDACTED])

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Jihad. Islamic extremists in Yemen named Al Rajhi Bank as a preferred bank for transactions.

The Bin Ladin Family

Although largely cut off from the family business, Usama Bin Ladin may receive financial support from a few sympathetic family members—he has 51 half-brothers and sisters and four sets of in-laws.

Bin Ladin has been banned from sharing in the profits from his family's multi-billion dollar construction empire—the Saudi Bin Ladin Group—and that his stake in the company was frozen around 1996.

Bin Ladin's nephew Muhammad and some other unspecified family members may have been channeling funds to Bin Ladin. We suspect Bin Ladin's mother may have brought him money when she visited Afghanistan.

Other Donors

In addition to wealthy individuals, al-Qa'ida also receives funding from Islamic clergy (Imams) and other personnel at Saudi mosques. The imams appear to be collecting money from a mix of small and large personal and corporate donations and giving the money to couriers or al-Qa'ida fundraisers for delivery. Donors who give funds to mosques are difficult to identify, and it is possible these individuals are unwitting that their donations go to terrorist activity.

Non-Governmental Organizations (NGOs) and Islamic Charities

Since the 1990s, Bin Ladin has exerted influence on several Islamic NGOs, using them to raise and move funds and for logistical support, such as providing employment cover, false documents, and colluding in terrorist activities. Several Saudi-based NGOs that al-Qaida has been able to exploit by diverting funds from legitimate activities to finance al-Qa'ida.

Channeling money through NGOs hides wealthy donors' role and helps them deny that funds went to terrorists.

Many of the NGOs are affiliated with the *Muslim World League (MWL)*, a Saudi Government-sponsored "umbrella" charity that is charged with coordinating the activities of its subsidiaries, although reporting suggests it actually has little or no control over most of these or over its field offices. Some reporting indicates the MWL is the parent organization of the International Islamic Relief Organization (IIRO) and the World Assembly of Muslim Youth (WAMY), is affiliated with more than a dozen other NGOs worldwide, and has its own offices in more than 30 countries. Several of Bin Ladin's associates, including Wa'il Julaydan and Muhammad Jamal Khalifah, were MWL representatives, according to press reporting. Funds destined for al-Ittihad al-Islamiyya (AIAT) in Somalia were funneled through several Saudi NGOs, including MWL. does not indicate whether Saudi officials or the head office is complicit in terrorist support.



Al-Haramain Islamic Foundation (HIF) has field offices in some 50 countries, at least 20 of which are used by some officers to provide logistical, organizational, and financial support to al-Qa'ida and other extremist groups. A few

Saudi Government officials, such as Prince Nayif and Saudi Embassy personnel, have condoned or ignored

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the activities of al-Haramain headquarters, field offices, and representatives that support terrorist and militant groups, [REDACTED].

Al-Haramain has scaled back some activities in offices with known terrorist ties while finding ways to circumvent financial controls [REDACTED].

Lajnat al-Birr al-Islami (a.k.a. Islamic Charity Committee) is a subsidiary of the World Assembly of Muslim Youth and the "parent" NGO of Benevolence International Foundation (BIF). [REDACTED]

[REDACTED] ces in Pakistan and Saudi Arabia that are linked to terrorist and Islamic extremist activity [REDACTED]

Saudi Joint Relief Committee (SJRC), state-sponsored by Saudi Arabia, is a coordinating body for Islamic charities in Kosovo and Chechnya, some of which have been tied to terrorist and *mujahidin* activity including al-Haramain, al-Waqqaf al-Islami, IIRO, and WAMY. Bin Ladin-associate Wa'el Julaydan was the Saudi-government appointed head of the SJRC's Kosovo office during the mid-1990s, [REDACTED]

World Assembly of Muslim Youth (WAMY) is a major subsidiary of the Muslim World League. WAMY's global reach and influence among Muslim youth has made it an excellent conduit of recruits for many extremist groups [REDACTED]

[REDACTED] this activity is peripheral to WAMY's main purposes—proselytization through publishing, building schools and mosques, running youth camps, and offering educational courses on Islamic issues, [REDACTED]

[REDACTED] and is probably engaged in by a small number of officials acting without the knowledge or authorization of senior officials. The organization provides stipends for recruits during training, [REDACTED]

Saudi-Based Financial Support for Other Terrorist Groups [REDACTED]

[REDACTED] several terrorist groups other than al-Qa'ida rely heavily on Saudi Arabia for funds. Riyadh condoned HAMAS fundraising for its social services wing at least until May 2002. HAMAS and the other groups also appear to rely on private Saudi donors to fund specifically terrorist activities. [REDACTED]

HAMAS

Many Saudis view funding HAMAS—particularly its social services wing—as support to a legitimate group that is struggling for Palestinian statehood. Prior to May, Riyadh had maintained government-sanctioned ties to HAMAS and allowed the group to raise funds in the Kingdom for its network of clinics, schools, and other social services, [REDACTED] although some funds may have been diverted for terrorist operations. Riyadh's ties to HAMAS spring from its involvement in the Arab-Israeli conflict, domestic pressures to side with the Palestinians against Israel, opposition to Arafat and the PLO, and its identity with Islam. [REDACTED]

HAMAS also receives funding from Saudi Arabia in the form of individual private contributions. HAMAS representatives throughout the Middle East—including in Saudi Arabia, the UAE, Yemen, Qatar, Syria, and Sudan—serve as the conduits for private donations.

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[REDACTED]

Senior princes, including Crown Prince Abdallah, in the past have personally offered financial support to HAMAS. [REDACTED]

[REDACTED]

ASG probably also receives funds from Saudi-based NGOs, including the Dar Al-Hijra Foundation and IIRO. Dar Al-Hijra is headquartered in Riyadh and focuses on mobilizing Islamic activists in the Philippines, [REDACTED]. It has links to al-Qa'ida and other extremist groups in the Philippines, including the Moro Islamic Liberation Front, according to sensitive reporting. IIRO has used its field offices cover, travel, and funding to support extremists worldwide. [REDACTED]

[REDACTED] the Philippines office was opened by Bin Ladin's brother-in-law Khalifah. [REDACTED]

Jemaah Islamiyah (JI)

[REDACTED] an unspecified group of Saudi and Gulf Arab financiers are the main financial backers of the "Cooperative Program"—a plan sponsored by Jemaah Islamiyah (JI) spiritual leader Abu Bakar Bashir to train jihadists and amass arms to wage a religious civil war that will create an Islamic state in Indonesia, [REDACTED]

[REDACTED] operative known as "Rashid". Rashid serves as the representative to the committee that includes Shaykh Bandar, the head of al-Haramain in Dammam, Saudi Arabia.

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Other Islamic Extremists and Insurgents

In addition to US-recognized terrorist groups, several Islamic extremist and insurgent groups receive financial support from Saudi sources. Riyadh has condoned support for some groups—such as the Chechen *mujahidin*—while in other cases it probably is unaware of the support and might oppose it.

Moro Islamic Liberation Front (MILF)

Financial contributions from private donors and NGOs in Saudi Arabia provide a growing share of funding to the Moro Islamic Liberation Front (MILF), a militant group that advocates an independent Islamic state in the southern Philippines.

During the past year or two, private Saudi donors have become particularly important—one Saudi businessman reportedly provided the MILF with \$2 million in 2001.

- The MILF uses the Overseas Filipino Workers Program to place fundraisers in Saudi cities, where they lobby mosques and individuals for donations that are sent back to the Philippines

Pakistani Militant Groups

Pakistan's Sunni Islamic militant, sectarian, and extremist groups rely on Saudi funding—from private businessman and Saudi-based charities—as a pillar of their overseas financial networks.

Some of these groups have recently been declared to be terrorist organizations by the United States. Riyadh considers most of these Pakistani militant groups to be legitimate, viewing them as freedom fighters in Kashmir.

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- [REDACTED] the Pakistani militant group Lashkar-i-Tayyiba (LT) and its parent organization Markaz Dawa ul-Irshad (MDI)—now renamed Jamaat ud-Dawa—in recent years have received funding from the Saudi Government as well as individual Saudi donors. [REDACTED]

Private Saudi sources also provide funding to sectarian groups, Islamic missionary groups, religious political parties, and madrassahs in Pakistan and Kashmir who openly support the militant groups, [REDACTED]

Mahfuz [REDACTED] Wa'il Julaydan [REDACTED] and Adil Batterice [REDACTED]

- SAMA—Saudi Arabia's central bank and chief financial enforcement agency—oversees local banks' efforts to freeze and seize terrorist-linked assets. If SAMA issues an order to banks to freeze assets, we judge that the banks will follow SAMA's order, however, we question the thoroughness their efforts because many of these banks lack experience controlling illicit financial activity.

Riyadh's Anemic Record on Combating Terror Finance [REDACTED]

Saudi Arabia has responded to some US requests to crack down on terrorist financing since 9/11—particularly since the uncovering of al-Qa'ida plots in the Kingdom that highlighted the threat to the Government. Nonetheless, it has made little independent effort to uncover terrorist financiers, investigate individual donors, and tighten the regulation of Islamic charities. And, often it does not share information with US officials. [REDACTED]

Since 9/11, Riyadh has responded to a number of US requests to staunch the flow of funds to terrorists from the Kingdom. [REDACTED]

[REDACTED] these actions, coupled with donors' fears of US and international actions, have led to a drop in money flowing from Saudi Arabia to al-Qa'ida and probably other groups.

- Even before 9/11, Saudi authorities made some efforts to crack down on donors; they detained or investigated Muhammad Jamal Khalifah [REDACTED] Jamjoom family members [REDACTED] Khalid bin [REDACTED]

- Since 9/11, Riyadh has responded to our requests to freeze the assets of al-Qadi and to designate Julaydan as a terrorist. [REDACTED]

- The Saudis have agreed to track the flow of charitable funds to foreign projects. Riyadh needs to establish an effective mechanism to monitor domestic and foreign charitable donations in order to uncover funding diverted to terrorists. [REDACTED]

Despite this progress, Riyadh appears reluctant to pursue donors and clean up its NGOs. Saudi officials such as Interior Minister Prince Nayif see Saudi extremists on Saudi soil as a Saudi problem and bristle at the perception of ceding control of the country's internal security policies to Washington, despite the role of Saudis in financing terrorist groups. Domestic political considerations may also be preventing Riyadh from taking a harder line against terror finance.

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- Donors who are members of prominent merchant families often have business dealings or frequent interactions with the Saudi royal family, suggesting that Riyadh may be hesitant to move against them or their businesses and bank accounts—particularly if it had to do so publicly [REDACTED] in Jeddah.

- A few Saudi Government officials, such as Prince Nayif and Saudi Embassy personnel, have condoned or ignored the activities of al-Haramain and other NGOs and representatives that support terrorist and militant groups, [REDACTED]

- Prince Nayif during a visit to Switzerland in May implied that legal action against Islamic financial institutions—presumably a veiled reference to Bern's case against suspected donor Yusef Nada's al-Taqwa Bank—could lead to a withdrawal of Saudi funds from Switzerland, [REDACTED]

[REDACTED] Nada has donated money to HAMAS, other Islamic extremist groups, and had some banking ties to al-Qa'ida. [REDACTED]

[REDACTED]

A key factor for continued successful initiatives with the Saudis, whose society is by tradition private, closed, and conservative, will be to ensure that their cooperation with the United States is handled discreetly and kept as much as possible out of the public eye.

[REDACTED]

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Appendix A

Collection Efforts [REDACTED]

US and Coalition efforts to identify donors and fundraisers will continue to be key to sustaining progress on terror finance and curbing the tens of millions of dollars of Saudi donations [REDACTED]

[REDACTED]

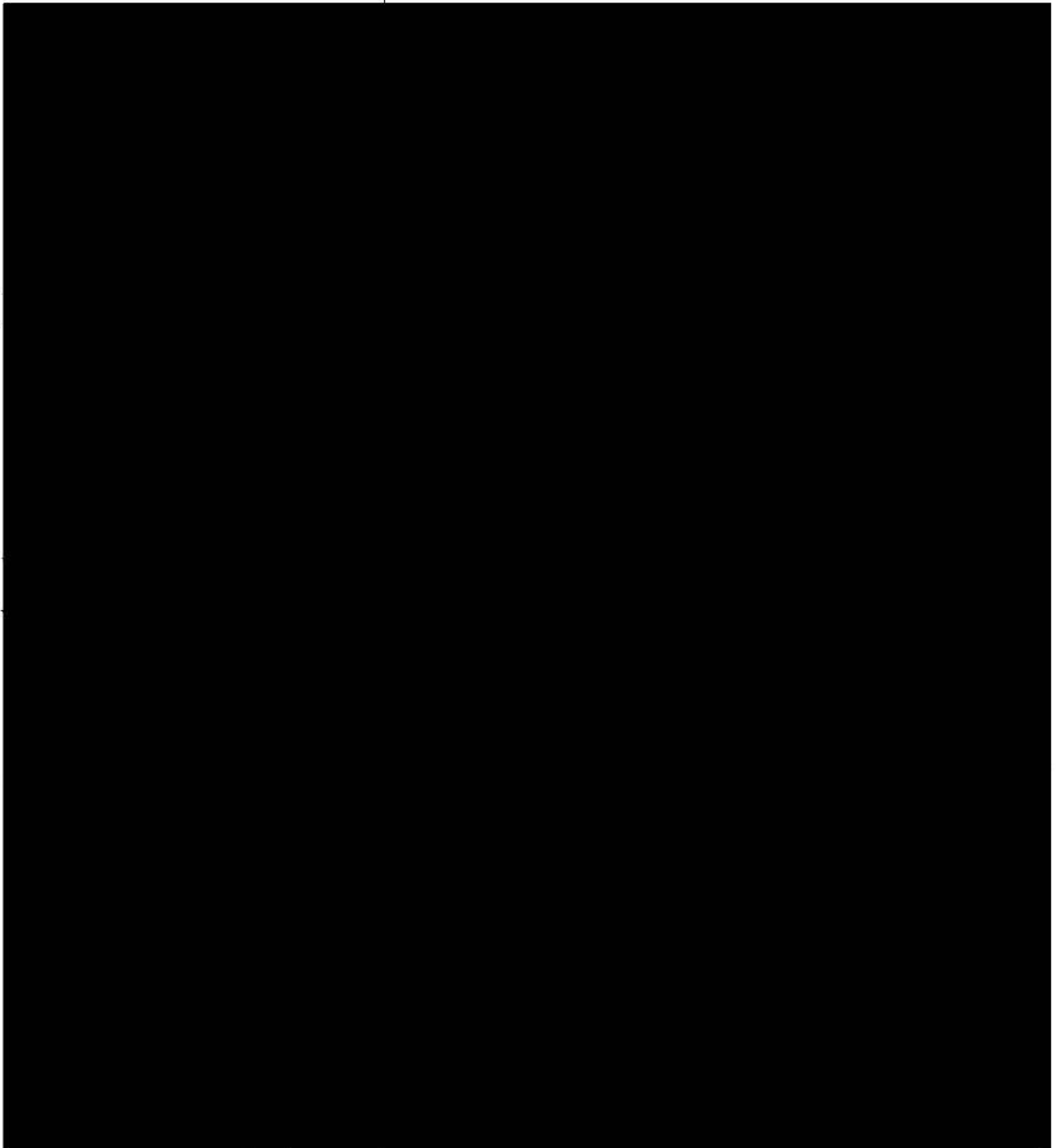
Collecting against or disrupting conduits such as banks and NGOs will also be critical to identifying donors and crippling the financial networks supporting al-Qa'ida. [REDACTED]

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